

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

PACKAGING CORPORATION OF AMERICA,

Plaintiff,

v.

No. 09-1284

THE NEWDELL COMPANY, CONSOLIDATED
PIPE & SUPPLY COMPANY, INC., and
LADISH VALVES,

Defendants.

ORDER TO SHOW CAUSE WHY CLAIMS AGAINST DEFENDANT LADISH VALVES
SHOULD NOT BE DISMISSED FOR FAILURE TO PROSECUTE

The second amended complaint of the Plaintiff, Packaging Corporation of America, was filed on May 11, 2010 adding Ladish Valves as a Defendant in this matter. Summons was returned executed as to this Defendant on June 2, 2010, reflecting a service date of May 26, 2010. According to the docket, no answer has been filed by Ladish Valves. Nor has an appearance been made on its behalf. Nonetheless, the Plaintiff has failed to seek default pursuant to Rule 55(a) of the Federal Rules of Civil Procedure. The Plaintiff is hereby directed to show cause, within eleven (11) days of the entry of this order, why its claims against Ladish Valves should not be dismissed for failure to prosecute in accordance with Fed. R. Civ. P. 41. Failure to timely respond to this order may result in dismissal of those claims.

IT IS SO ORDERED this 1st day of July 2010.

s/ J. DANIEL BREEN
UNITED STATES DISTRICT JUDGE